



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB1581

Introduced 2/15/2005, by Rep. Tom Cross

SYNOPSIS AS INTRODUCED:

20 ILCS 1305/10-8 new
30 ILCS 105/5.640 new
35 ILCS 5/507EE new
35 ILCS 5/509 from Ch. 120, par. 5-509
35 ILCS 5/510 from Ch. 120, par. 5-510

Amends the Department of Human Services Act and the State Finance Act. Creates the Diabetes Research Checkoff Fund and provides that, from appropriations from the Fund, the Department of Human Services must make grants to the Juvenile Diabetes Foundation and to the American Diabetes Association for the purpose of funding research concerning the disease of diabetes. Amends the Illinois Income Tax Act to create a tax checkoff for the Fund. Effective immediately.

LRB094 08377 BDD 38575 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of Human Services Act is amended
5 by adding Section 10-8 as follows:

6 (20 ILCS 1305/10-8 new)

7 Sec. 10-8. The Diabetes Research Checkoff Fund; grants. The
8 Diabetes Research Checkoff Fund is created as a special fund in
9 the State treasury. From appropriations to the Department from
10 the Fund, the Department must make grants to fund research
11 concerning the disease of diabetes as follows:

12 (1) 50% of the moneys in the Fund to the Juvenile
13 Diabetes Foundation; and

14 (2) 50% of the moneys in the Fund to the American
15 Diabetes Foundation.

16 Moneys received for the purposes of this Section,
17 including, without limitation, income tax checkoff receipts
18 and gifts, grants, and awards from any public or private
19 entity, must be deposited into the Fund. Any interest earned on
20 moneys in the Fund must be deposited into the Fund.

21 Section 10. The State Finance Act is amended by adding
22 Section 5.640 as follows:

23 (30 ILCS 105/5.640 new)

24 Sec. 5.640. The Diabetes Research Checkoff Fund.

25 Section 15. The Illinois Income Tax Act is amended by
26 changing Sections 509 and 510 and by adding Section 507EE as
27 follows:

28 (35 ILCS 5/507EE new)

1 Sec. 507EE. Diabetes Research Checkoff Fund checkoff. For
2 taxable years ending on or after December 31, 2005, the
3 Department must print on its standard individual income tax
4 form a provision indicating that if the taxpayer wishes to
5 contribute to the Diabetes Research Checkoff Fund, as
6 authorized by this amendatory Act of the 94th General Assembly,
7 he or she may do so by stating the amount of the contribution
8 (not less than \$1) on the return and that the contribution will
9 reduce the taxpayer's refund or increase the amount of payment
10 to accompany the return. Failure to remit any amount of
11 increased payment shall reduce the contribution accordingly.
12 This Section does not apply to any amended return.

13 (35 ILCS 5/509) (from Ch. 120, par. 5-509)

14 Sec. 509. Tax checkoff explanations. All individual income
15 tax return forms shall contain appropriate explanations and
16 spaces to enable the taxpayers to designate contributions to
17 the following funds: the Child Abuse Prevention Fund, the
18 Illinois Wildlife Preservation Fund (as required by the
19 Illinois Non-Game Wildlife Protection Act), the Alzheimer's
20 Disease Research Fund (as required by the Alzheimer's Disease
21 Research Act), the Assistance to the Homeless Fund (as required
22 by this Act), the Penny Severns Breast and Cervical Cancer
23 Research Fund, the National World War II Memorial Fund, the
24 Prostate Cancer Research Fund, the Lou Gehrig's Disease (ALS)
25 Research Fund, the Multiple Sclerosis Assistance Fund, the
26 Leukemia Treatment and Education Fund, the World War II
27 Illinois Veterans Memorial Fund, the Korean War Veterans
28 National Museum and Library Fund, the Illinois Military Family
29 Relief Fund, the Illinois Veterans' Homes Fund, the Diabetes
30 Research Checkoff Fund, and the Asthma and Lung Research Fund.

31 Each form shall contain a statement that the contributions
32 will reduce the taxpayer's refund or increase the amount of
33 payment to accompany the return. Failure to remit any amount of
34 increased payment shall reduce the contribution accordingly.

35 If, on October 1 of any year, the total contributions to

1 any one of the funds made under this Section do not equal
2 \$100,000 or more, the explanations and spaces for designating
3 contributions to the fund shall be removed from the individual
4 income tax return forms for the following and all subsequent
5 years and all subsequent contributions to the fund shall be
6 refunded to the taxpayer.

7 (Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651,
8 eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36,
9 eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03;
10 93-324, eff. 7-23-03; 93-776, eff. 7-21-04.)

11 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

12 Sec. 510. Determination of amounts contributed. The
13 Department shall determine the total amount contributed to each
14 of the following: the Child Abuse Prevention Fund, the Illinois
15 Wildlife Preservation Fund, the Assistance to the Homeless
16 Fund, the Alzheimer's Disease Research Fund, the Penny Severns
17 Breast and Cervical Cancer Research Fund, the National World
18 War II Memorial Fund, the Prostate Cancer Research Fund, the
19 Illinois Military Family Relief Fund, the Lou Gehrig's Disease
20 (ALS) Research Fund, the Multiple Sclerosis Assistance Fund,
21 the Leukemia Treatment and Education Fund, the World War II
22 Illinois Veterans Memorial Fund, the Korean War Veterans
23 National Museum and Library Fund, the Illinois Veterans' Homes
24 Fund, the Diabetes Research Checkoff Fund, and the Asthma and
25 Lung Research Fund; and shall notify the State Comptroller and
26 the State Treasurer of the amounts to be transferred from the
27 General Revenue Fund to each fund, and upon receipt of such
28 notification the State Treasurer and Comptroller shall
29 transfer the amounts.

30 (Source: P.A. 92-84, eff. 7-1-02; 92-198, eff. 8-1-01; 92-651,
31 eff. 7-11-02; 92-772, eff. 8-6-02; 92-886, eff. 2-7-03; 93-36,
32 eff. 6-24-03; 93-131, eff. 7-10-03; 93-292, eff. 7-22-03;
33 93-324, eff. 7-23-03; 93-776, eff. 7-21-04.)

34 Section 99. Effective date. This Act takes effect upon

1 becoming law.